

DETAILED ACTION

Claims 1-21 are examined.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-21 rejected under 35 U.S.C. 102(b) as being anticipated by Davis et al. (6269361).

As per Claim 1

Davis et al. ('361) discloses:

A method for selecting advertisements for presentation to client computers on a computer network, comprising: (a) having on a server computer a plurality of possible advertisements that may be presented to a client computer and having at least one key word associated with each advertisement; (b) receiving from a client computer a request for delivery from a server of a document containing words; (c) selecting from the plurality of advertisements a first selected advertisement and a second selected advertisement for which an associated key word matches a word in the requested document; (d) comparing a value associated with the first selected advertisement and a value associated with the second selected advertisement and further selecting the advertisement with the higher value; and (d) delivering to the client computer the further selected advertisement along with the requested document. (Col 6, lines 19-24: In addition, each account includes at least one search listing, each search listing having five components: a description of the web site to be listed, the Uniform Resource Locator (URL) of the web site, a search term comprising one or more keywords, a bid

amount, and a title for the search listing,; Col 5, lines 27-30: The searcher's click will result in an access request being sent to the advertiser's web site, which will respond by transmitting the advertiser's web page to the searcher's browser.; Col 18, lines 8-19: ..the rank value is assigned through a process, implemented in software, that establishes an association between the bid amount, the rank, and the search term of a search listing. The Process gathers all search listings that match a particular search term, sorts the search listings in order from highest to lowest bid amount, and assigns a rank to each search listing in order. The highest bid amount receives the highest rank value, the next highest bid amount receives the next highest rank value, proceeding to the lowest bid amount, which receives the lowest value, Most preferably, the highest rank value is point 1 with successively increasing ordinal values (e.g., 2, 3, 4,. . .) assigned in order of successively decreasing rank.; Col 9, lines 10-12: ... includes a search database comprised of search listing records used to generate search results in response to user queries.)

As per Claim 2

Davis et al. ('361) discloses:

The method of claim 1 further comprising: giving greater weight to matching words that are close to a beginning of the document than matching words that are farther from the beginning of the document. (Col 5, lines 57-59: The web site promoter first selects a search term comprising one or more keywords relevant to the content of the web site to be listed.: Col 9, lines 34-41: In an alternate embodiment of the present invention, the relevance of a bidden search term in a search listing to the corresponding

web site may be evaluated using a computer program executing at processor 34 of account management server 22, where the computer program will evaluate the search term and corresponding web site according to a set of predefined editorial rules.)

As per Claim 3

Davis et al. ('361) discloses:

The method of claim 1 further comprising: tracking keywords entered by a user into a search engine to find the document and then delivering still more targeted ads for that particular user based on the keywords entered by the user to find the document. (Fig. 7, Col 5, lines 48-50: The combination of paid and unpaid listings helps ensure that the searcher will receive the most complete and relevant search results.)

As per Claim 4

Davis et al. ('361) discloses:

The method of claim 1 further comprising: using words entered by a user in prior searches to determine the advertisement to be presented to the user when subsequently viewing other pages regardless of the content on the page. (Fig. 5, Col 6, lines 24-26: Each account may also include the promoter's payment history and a history of search listings entered by the user.)

As per Claim 5,8

Davis et al. ('361) discloses:

5. The method of claim 1 wherein the value associated with the first selected advertisement and the value associated with the second selected advertisement comprise a productivity score associated with each respective selected advertisement.

(Col 5 lines 62-67, Col 6 lines 1-8: The bidding process occurs when an advertiser enters a new bid amount for an existing search listing or enters a bid amount for a new search listing. Preferably, the promoter's bid is then processed in real time. This bid amount is compared with all other bid amounts from promoters for the same search term, and generates new rank values for all search listings having that search term. The rank value determines the position where the promoter's web site description will appear on the search results list page that is generated when the search term is entered into the query box on the search engine by a searcher. A higher bid will result in a higher rank value and a more advantageous placement, which is preferably near the beginning of the search results list page.)

As per Claim 6

Davis et al. ('361) discloses:

6. The method of claim 1 wherein selecting comprises: (i) identifying bid values from one or more ad content sources for keywords identified on a requested content page for display at the client computer; (ii) determining a productivity score for the keywords on the requested content page in accordance with the bid values from the ad content sources for the keywords; (iii) selecting an ad content source having the greatest productivity score for the identified keywords. (Col 5, lines 65-67, Col 6, line 1: This amount is compared with all other bid amounts from other promoters for the same search term, and generates new rank values for all search listings having that search term.)

As per Claim 7

Davis et al. ('361) discloses:

7. The method of claim 6, wherein selecting the advertisement with the higher value comprises constructing a decision matrix relating to the supplemental content sources and their associated productivity scores.(Col 5, lines 35-40: The higher the bid, the more advantageous the placement in the search result list that is generated when the bidded search term is entered by a searcher using the search engine. The search result list is arranged in order of decreasing bid amount, with the search listing corresponding to the highest bids displayed first to the searcher.)

As per Claim 9

Davis et al. ('361) discloses:

9. The method of claim 6, wherein selecting the advertisement with the higher value further comprises selecting an advertising type in accordance with the relevance score. Col 4, lines 65-67, Col 5, line 1: a web site promoter selects a search term and influences a position within the search result list generated by that search term by participating in an online competitive bidding process.)

As per Claim 10

Davis et al. ('361) discloses:

10. The method of claim 6, wherein selecting the advertisement with the higher value further comprises selecting an advertising type in accordance with a cost per click value associated with the productivity score. (Col 5, 22-27: Each bid is specific to a search term web site combination and corresponds to a money amount that the

advertiser will pay to the owner of the search engine each time a searcher clicks on the advertiser's hyperlinked listing in the search result list generated the search engine.)

As per Claim 11

Davis et al. ('361) discloses:

11. A method for selecting content for display at a client computer communicating over a computer network, the method comprising: (a) determining a relevance score for content of a document at a server computer for delivery to a requesting client computer; (b) determining at least one valuation for the content from each of two or more supplemental content sources; (c) generating a productivity score for each of the supplemental content sources in accordance with the corresponding content valuation for the supplemental content source; (d) selecting the supplemental content source having the greatest productivity score; (e) serving the document and supplemental content from the selected supplemental content source for delivery to the requesting client computer. (Col 5, lines 9-17: A tool enabling advertisers to target web search terms relevant to their business and to pinpoint the placement of their web site description within the search results provides a powerful advantage to businesses and others seeking to increase their web exposure. Furthermore, a competitive bidding process and pricing based on number of web site referrals generated helps ensure that the pricing structure reflects the market and is accessible to advertisers of all budget sizes.)

As per Claim 12

Davis et al. ('361) discloses:

12. The method of claim 11, wherein the document comprises a Web page. (Col 5, lines 27-30: The searcher's click will result in an access request being sent to the advertiser's web site, which will respond by transmitting the advertiser's web page searcher's browser.)

As per Claim 13

Davis et al. ('361) discloses:

13. The method of claim 12, wherein document content comprises keywords of the Web page. (Col 4 line 58: search term relevant to the promoter's web site..)

As per Claim 14

Davis et al. ('361) discloses:

14. The method of claim 12, wherein the valuation comprises keyword bid values from the supplemental content sources. (Col 5, lines 65-67, Col 6 line 1: This bid amount is compared with all other bid amounts from other promoters for the same search term, and generates new rank values for all search listings having that search term.)

As per Claim 15

Davis et al. ('361) discloses:

15. The method of claim 14, wherein the bid values are received from the supplemental content sources in response to a request for bids issued after a request for the Web page from the requesting client computer. Col 9, lines 25-41: *An* advertising web site promoter may, through the account residing on the account management server 22, participate in a competitive bidding process with other advertisers. *An*

advertiser may bid on any number of search terms relevant to the content of the advertiser's web site. In one embodiment of the present invention, relevance of a bidded search term to an advertiser's web site is determined through a manual editorial process prior to insertion of the search listing containing the search term and advertiser web site URL into the database 40. In an alternate embodiment of the present invention, the relevance of a bidded search term in a search listing to the corresponding web site may be evaluated using a computer program executing at processor 34 of account management server 22, where the computer program will evaluate the search term and corresponding web site according to a set of predefined editorial rules.)

As per Claim 16,17

Davis et al. ('361) discloses:

16. The method of claim 12, wherein the supplemental content from the selected supplemental content source comprises advertising content for delivery with the Web page. (Col 5, lines 43-48: In addition, the search result list of the present invention is preferably combined with non-paid web site descriptions generated by a conventional Internet search engine, preferably including listings generated according to mathematics-based database search algorithms as discussed above.)

As per Claim 18,19, 20

Davis et al. ('361) discloses:

18. The method of claim 11, wherein selecting the supplemental content source comprises constructing a decision matrix relating to the supplemental content sources and their associated productivity scores. (Col 18, lines 10-36: The Process gathers all

search listings that match a particular search term, sorts the search listings in order from highest to lowest bid amount, and assigns a rank to each search listing in order. The highest bid amount receives the highest rank value, the next highest bid amount receives the next highest rank value, proceeding to the lowest bid amount, which receives the lowest value. Most preferably, the highest rank value is 1 with successively increasing ordinal values (e.g., 2, 3, 4, . . .) assigned in order of successively decreasing rank. The correlation between rank value and bid amount is illustrated in FIG. 7, where each of the paid search list entries 710a through 710f display the advertiser's bid amount 750a through 750f for that entry. Preferably, if two search listings having the same search term also have the same bid amount, the bid that was received earlier in time will be assigned the higher rank value. Unpaid listings 710g and 710h do not display a bid amount and are displayed following the lowest-ranked paid listing. Preferably, unpaid listings are displayed if there are an insufficient number of listings to fill the 40 slots in a search results Page. Unpaid listings are generated by a search engine utilizing objective distributed database and text searching algorithms known in the art. The original search query entered by the remote searcher is used to generate unpaid listings through the conventional search engine.)

As per Claim 21

Davis et al. ('361) discloses:

21. The method of claim 11, wherein selecting the supplemental content source further comprises selecting an advertising type in accordance with a cost per click value associated with the productivity score. (Fig. 7, Col 21, lines 32-36: the click through rate,

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e.g. the total number of clicks, or referrals, for a particular searcher listing, is considered to be a function of the rank of the search listing.)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Colleen Hoar whose telephone number is 571-270-3447. The examiner can normally be reached on Monday- Thursday 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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